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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No.: CR 06-00075 CW
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del> ORDER
v.	)	SETTING MOTION SCHEDULE AND
WILLIAM FOOTE,	)	EXCLUDING TIME UNDER THE SPEEDY
Defendant.	)	TRIAL ACT FROM MARCH 30, 2006
	)	THROUGH MAY 1, 2006
	)	OAKLAND VENUE

IT IS HEREBY STIPULATED AND AGREED by and between the parties that the following schedule be set for defendant's pretrial motion to suppress to be filed: (1) defendant's motion papers are due no later than March 30, 2006; (2) the government's response papers are due no later than April 13, 2006; and (3), because defense counsel is scheduled to be engaged in trial from April 19 through April 24, 2006, defendant's reply is due no later than April 26, 2006, with the parties appearing before the Court on Monday, May 1, 2006, at 2:00 or 2:30 p.m. (depending on defendant's custody status). At this time, defendant is in state custody and does not need the assistance of an interpreter.

IT IS FURTHER STIPULATED AND AGREED by and between the parties that the time from March 30, 2006 through May 1, 2006 is excludable under the Speedy Trial Act, 18, U.S.C. §§ 3161(h)(1)(F) and (h)(8)(A). Specifically, the parties agree and stipulate that the ends of justice are served and outweigh the best interest of the public and the defendant in a

STIPULATION & ~~PROPOSED~~ ORDER  
CR 06-00075 CW

1 speedy trial by excluding the time from March 30, 2006 and May 1, 2006 under the Speedy Trial  
2 Act because of defendant's need to make a pre-trial motion to suppress. It is further agreed that  
3 this Stipulation supersedes the Stipulation dated March 10, 2006, between the parties.

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5 DATED: March 20, 2006

6 ISMAIL

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8 ISMAEL RAMSEY  
9 Counsel for William Foote

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11 DATED: March 17, 2006

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JAMES E. KELLER  
Assistant United States Attorney

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No.: CR 06-00075 CW
Plaintiff,	)	
v.	)	<b>[PROPOSED] ORDER SETTING MOTION</b>
WILLIAM FOOTE,	)	<b>SCHEDULE AND EXCLUDING TIME</b>
Defendant.	)	<b>UNDER THE SPEEDY TRIAL ACT FROM</b>
	)	<b>MARCH 30, 2006 THROUGH MAY 1, 2006</b>

**ORDER**

Based on the reasons provided in the attached Stipulation of the parties, IT IS HEREBY ORDERED that defendant's pre-trial motion to suppress papers are due no later than March 30, 2006; the government's response papers are due no later than April 13, 2006; and, due to counsel's anticipated engagement in trial, defendant's reply is due no later than April 26, 2006.

IT IS FURTHER ORDERED that the parties appear before this Court on Monday, May 1, 2006, at 2:00 or 2:30 p.m. (the former time if defendant is in custody; the latter if defendant is not in custody).

In addition, based upon the reasons provided in the attached Stipulation of the parties, the Court hereby FINDS that the time from March 30, 2006 through May 1, 2006 is excluded under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(1)(F) and(h)(8)(B)(iv) on the grounds that the ends of justice are served and outweigh the best interest of the public and the defendant in a speedy

**[PROPOSED] ORDER**  
CR 06-00075 CW

1 trial by excluding this time under the Speedy Trial Act for the parties to litigate, and the Court to  
2 decide, defendant's pre-trial motion to suppress, and because this period of time is a delay resulting  
3 from the any pretrial motion, namely from its filing through the conclusion of the hearing on, or  
4 prompt disposition of, such motion.

5 IT IS SO ORDERED.

6 DATED: March <sup>23</sup>, 2006

  
HON. CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE

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[PROPOSED] ORDER  
CR 06-00075 CW